

REMARKS

In a June 9, 2004 telephone call to Applicants' representative, Debra A. Gordon, Examiner Ford alleged that the previously accepted Declaration Under 37 C.F.R. 1.131, which was mailed to the U.S. Patent and Trademark Office ("Office") on June 11, 2002 ("Shi Declaration"), was incomplete pursuant to MPEP §715.04 because it was signed by only one inventor. The Examiner required that a revised Declaration Under 37 C.F.R. 1.131 ("revised Declaration"), which was signed by all three inventors, be submitted to the Office to complete the file.

The Examiner made a follow up telephone call to Applicants' representative, Debra A. Gordon, on June 16, 2004 to inquire about the status of the revised Declaration. Applicants' representative explained that efforts were underway to comply with the Examiner's request, but that at least two of the inventors were currently in foreign countries; therefore, delays in obtaining their signatures were to be expected. In this call, Applicants' representative informed the Examiner that the revised Declaration not only included signature pages for all three inventors, but also was revised to correct matters of form. For instance, the Shi Declaration stated "I, my, etc.," whereas accuracy demands that the revised Declaration state "we, our, etc." The Examiner agreed that changes to matters of form in the revised Declaration were acceptable.

The revised Declaration required by the Examiner is attached hereto as Exhibit A. No new matter is introduced by the revised Declaration.

CONCLUSION

It is respectfully submitted that pending claim 3 has been allowed and each of the remaining pending claims (*i.e.*, claims 1, 4-6, 10 and 13) are in a condition for allowance. If it may further issuance of these claims, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By Debra A. Gordon
Debra A. Gordon, Ph.D.
Registration No. 54,128

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

Exhibit A

“Revised” Declaration Under 37 C.F.R. §1.131

[see attached 28 pages]